

REMARKS

As a preliminary matter, the withdrawal of the prior rejections under 35 U.S.C. §§ 101 and 112, second paragraph, is acknowledged with thanks.

Pending claims 1-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over (a) Graziano et al., U.S. Patent No. 5,191,613, in view of Takaragi et al., U.S. Patent No. 4,885,777 and newly cited Davidson et al., U.S. Patent No. 4,988,209 [claims 1-2, 5-10, 13-15, and 17-25]; (b) Graziano et al.; Takaragi et al.; Davidson et al.; and newly cited Fischer, U.S. Patent No. 4,868,877 [claims 3, 11-12, and 16]; and (c) Graziano et al.; Takaragi et al.; Davidson et al.; Fischer; and newly cited Leonhardt et al., U.S. Patent No. 5,424,526 (claim 4).

Applicants respectfully submit that these obviousness rejections are based on an improper hindsight reconstruction of the presently claimed invention from isolated disclosures in unrelated references. Graziano et al., Takaragi et al., Davidson et al., and Leonhardt et al. are not in any way concerned with transferable records or authoritative copies. Without Applicants' disclosure, one of ordinary skill would not be motivated to combine those isolated disclosures. Withdrawal of the rejections is earnestly solicited.

The Applicants' claimed invention is directed to a method of handling stored electronic original objects. In particular, the invention is a computer implemented method of handling stored electronic original objects that have been created by signing information objects by respective transfer agents, submitting signed information objects to a trusted custodial utility (TCU), validating the submitted signed information objections by at least testing the integrity of the contents of each signed information object and the validity of the signature of the respective transfer agent, and applying to each validated information object a current date-time stamp and a digital signature and

authentication certificate of the TCU, which handles at least one electronic original object based on rules established by an owner of the at least one electronic original object, including the steps of:

establishing at least one type of electronic original object;

establishing at least one type of electronic original object as potential transferable records;

enabling at least one selected user to access at least one selected type of electronic original object;

identifying at least one type of electronic original object required to conclude a deal; and

controlling transformation of a selected electronic original object into a transferable record.

The present invention solves the prior difficulties associated with the creation, storage, maintenance and transfer of electronic original information objects such as the electronic transferable records and authoritative copies governed by law and regulation. For example, today, electronic documents represent or convey interests in valuable property such as negotiable instruments and promissory notes. These electronic transferable records must have one unique, identifiable, unalterable copy maintained in a controlled environment. The present invention satisfies those requirements and creates legally binding electronic transferable records.

The cited prior art includes references from unrelated technologies. Graziano et al. discloses an automatic electronic contracting system and method for document authentication. Parties that wish to negotiate a document such as a contract, work independently or together in real time to develop the desired document. (Col. 10, line 44 – Col. 11, line 47.) During document development, the document can be

checked for modification. (Col. 7, lines 10-15; Col. 12, lines 48-53.) Upon completion of the document, it is digitally signed and copies are transferred to the parties. (Col. 7, lines 25-35; Col. 14, lines 9-17.) The document authentication software can reside on each party's respective computer or with an unrelated third party. (Col. 10, line 44 – Col. 11, line 47; Col. 14, lines 31-43; Fig. 1.)

Takaragi et al. uses algorithm-based digital signatures in an electronic transaction system. A sender/signer prepares, digitally signs, and sends an electronic message to a receiver/certifier. (Col. 5, lines 13-18.) The message is encrypted by use of a secret key and is subsequently decoded by use of a public key. (Col. 6, lines 37-41; Col. 9, lines 23-27.)

Davidson et al. relates to the management of information generated by the activities of telephone lines, including status information, the number of calls handled, etc. (Abstract.) The "collection of information for the management of a plurality of telephone agents at stations connected to a switching system" (Col. 1, lines 16-18), is wholly unrelated to the present invention. Its disclosure of a "date and time stamp of current time" (Col. 7, lines 41-47) is of no consequence to one of ordinary skill concerned about solving the problems addressed by the present invention.

Fischer discloses a public key cryptographic system that conveys qualifications in an authentication certificate and enforces the qualifications. Its use of a signature blank is conventional. (Col. 11, lines 45-53; Col. 12, line 65 to Col. 13, line 8.)

The present invention is compatible with any of the published electronic signature standards, cryptography, rules, regulations and statutes that govern electronic transactions. It provides the evidence required by law to prove a participant's intent to be bound by the terms of the executed documents. The present invention provides the ability to remotely and electronically sign the authoritative copy of the TCU.

Fischer discloses one method to validate and approve digital signatures. This method can be used by the present invention, but not necessarily. For example, Fischer teaches the use of an authorization certificate. (Col. 13.) The present invention neither needs nor uses such certificates. The Authoritative Copy conveys who must sign to complete execution. The TCU only validates that the submitter's authentication certificate is active and the signature is verifiable.

Leonhardt et al. discloses a system that includes a high data density label to identify and manage objects. The labels are attached to goods and can be scanned optically. Its use of "metadata" is irrelevant to the present invention. Indeed, Leonhardt et al. uses the term "metadata" generically for summary data. It teaches away from the present invention by its desired use of physical data cartridges. (Col. 1, lines 54-60.)

No permissible combination of any of the cited references makes obvious the present invention. Only by improperly using the present disclosure as a guide to pick-and-choose isolated pieces of unrelated references would one of ordinary skill find the claimed invention obvious. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited. If any fees are required in connection with this Response, please charge the same to our Deposit Account No. 02-4800.

Respectfully submitted,

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Date: December 19, 2005

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